

**IN THE FEDERAL DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

|                              |   |                 |
|------------------------------|---|-----------------|
| <b>ARC PRODUCTS, L.L.C.,</b> | ) |                 |
|                              | ) |                 |
| <b>Plaintiff,</b>            | ) | <b>Case No.</b> |
|                              | ) |                 |
| <b>v.</b>                    | ) |                 |
|                              | ) |                 |
| <b>PATRICK D. KELLY</b>      | ) |                 |
|                              | ) |                 |
| <b>Defendant</b>             | ) |                 |

**NOTICE OF REMOVAL TO FEDERAL COURT**

COMES NOW DEFENDANT Patrick Kelly, who states that this proceeding is being removed to federal court, because it pertains to patent matters, which are subject to exclusive federal jurisdiction under the federal patent law.

Statutory authority is in 28 U.S.C. § 1338 et seq., and in Title 35 of the U.S. Code.

Additional authority for removal of a patent case, even when non-patent matters are also involved, is in cases such as Air Measurement Technologies, Inc., et al. v. Akin Gump Strauss Hauer & Feld, L.L.P., et al., 504 F.3d 1262 (Fed. Cir. 2007).

Respectfully submitted,

/s/ ***Patrick D. Kelly***

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document, with all attachments, is being provided to the following attorney of record, via e-mailing of an electronic file in "pdf" format, on July 13, 2010.

/s/ ***Patrick D. Kelly***

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Patrick D. Kelly

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